

**UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
MIDLAND-ODESSA DIVISION**

Malikie Innovations Ltd. and
Key Patent Innovations Ltd.,

Plaintiffs,

v.

MARA Holdings, Inc. (f/k/a Marathon Digital
Holdings, Inc.)

Defendant.

Case No. 7:25-cv-00222-DC-DTG

**DECLARATION OF THOMAS MACCHIO
IN SUPPORT OF DEFENDANT MARA'S OPENING CLAIM CONSTRUCTION BRIEF**

I, Thomas Macchio, declare as follows:

1. I am an attorney admitted in the state of New York, and admitted *pro hac vice* in the United States District Court for the Western District of Texas in the above-captioned action. I am an associate with the law firm Paul, Weiss, Rifkind, Wharton & Garrison LLP, and counsel for MARA Holdings, Inc. (“MARA” or “Defendant”). I submit this Declaration in support of Defendant MARA Holdings, Inc.’s Opening Claim Construction Brief. Unless otherwise stated, I have personal knowledge of the facts and circumstances stated below and, if called upon to testify, I could and would testify competently to the statements made herein.

2. Attached hereto as **Exhibit A** is a true and correct copy of Dr. Çetin Kaya Koç’s declaration in support of MARA’s Opening Claim Construction Brief.

3. Attached hereto as **Exhibit B** is a true and correct copy of U.S. Patent No. 8,532,286 B2 issued to Robert J. Lambert, one of the patents-in-suit in this litigation.

4. Attached hereto as **Exhibit C** is a true and correct copy of U.S. Patent No. 7,372,960 B2 issued to Robert J. Lambert, one of the patents-in-suit in this litigation.

5. Attached hereto as **Exhibit D** is a true and correct copy of U.S. Patent No. 8,666,062 B2 issued to Robert J. Lambert, one of the patents-in-suit in this litigation.

6. Attached hereto as **Exhibit E** is a true and correct copy of U.S. Patent No. 8,788,827 B2 issued to Marinus Struik et al, one of the patents-in-suit in this litigation.

7. Attached hereto as **Exhibit F** is a true and correct copy of U.S. Patent No. 10,284,370 B2 issued to Marinus Struik et al, one of the patents-in-suit in this litigation.

8. Attached hereto as **Exhibit G** is a true and correct copy of U.S. Patent No. 7,372,961 B2 issued to Scott A. Vanstone et al, one of the patents-in-suit in this litigation.

9. Attached hereto as **Exhibit H** is a true and correct copy of excerpts of the Prosecution

History for U.S. Patent Application No. 12/838,999, which issued as U.S. Patent No. 8,532,286.

10. Attached hereto as **Exhibit I** is a true and correct copy of excerpts of the Prosecution History for U.S. Patent Application No. 10/058,212, which issued as U.S. Patent No. 7,372,960.

11. Attached hereto as **Exhibit J** is a true and correct copy of excerpts of the Prosecution History for U.S. Patent Application No. 12/101,590, which issued as U.S. Patent No. 8,666,062.

12. Attached hereto as **Exhibit K** is a true and correct copy of excerpts of the Prosecution History for U.S. Patent Application No. 14/318,313, which issued as U.S. Patent No. 10,284,370.

13. Attached hereto as **Exhibit L** is a true and correct copy of excerpts of the Prosecution History for U.S. Patent Application No. 10/025,924, which issued as U.S. Patent No. 7,372,961.

14. Attached hereto as **Exhibit M** is a true and correct copy of U.S. Patent No. 5,159,632 issued to Richard E. Crandall.

15. Attached hereto as **Exhibit N** is a true and correct copy of US Patent Pub. No. US 2002/0122555, which issued as U.S. Patent No 6,751,318 to Richard E. Crandall.

16. Attached hereto as **Exhibit O** is a true and correct copy of *Efficient Software-Implementation of Finite Fields with Applications to Cryptography* (2006), authored by Jorge Guajardo et al.

17. Attached hereto as **Exhibit P** is a true and correct copy of *Digital Signature Standard (DSS)*, *Federal Information Processing Standards Publication 186* (1994), published by the National Institute of Standards and Technology.

18. Attached hereto as **Exhibit Q** is a true and correct copy of Patent Owner's Preliminary Response (POPR), Paper No. 10, *Facebook, Inc., et al. v. Blackberry Limited*, IPR2019-00923 (2019).

19. Attached hereto as **Exhibit R** is a true and correct copy of excerpts of *Handbook of Applied Cryptography* (1996), authored by Alfred J. Menezes et al.

20. Attached hereto as **Exhibit S** is a true and correct copy of *Uniform Random Number Generation* (1994), authored by Pierre L'Ecuyer.

21. Attached hereto as **Exhibit T** is a true and correct copy of *Modular Multiplication Without Trial Division* (1985), authored by Peter L. Montgomery.

22. Attached hereto as **Exhibit U** is a true and correct copy of excerpts of *Cryptography and Data Security* (1982), authored by Dorothy Elizabeth Robling Denning.

23. Attached hereto as **Exhibit V** is a true and correct copy of excerpts of *Guide to Elliptic Curve Cryptography* (2004), authored by Darrell Hankerson, et al.

24. Attached hereto as **Exhibit W** is a true and correct copy of *The Facts on File Dictionary of Computer Science* (2001), page 221.

25. Attached hereto as **Exhibit X** is a true and correct copy of *Microsoft Computer Dictionary, 5th ed.* (2002), page 573.

26. Attached hereto as **Exhibit Y** is a true and correct copy of excerpts of *Modern Computer Arithmetic Version 0.2* (2008), authored by Richard P. Brent et al.

I declare under penalty of perjury that the foregoing is true and correct.

EXECUTED this 17th day, of December, 2025, at New York, New York.

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CERTIFICATE OF SERVICE

I hereby certify that I have served a true and correct copy of this brief upon each attorney of record and the original upon the Clerk of Court on this 17th day of December, 2025.

A handwritten signature in black ink, appearing to read "Thomas Macchio", is written above a horizontal line.

Thomas Macchio